

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 1601 North Calhoun Street, Fort Wayne, Indiana 46808. (OmniSource Corporation)

WHEREAS, Petitioner has duly filed its petition dated June 14, 1995 to have the following described property designated and declared an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended, and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;
and

WHEREAS, said project will retain 191 full-time positions and create 9 permanent jobs for a current annual payroll of 4,328,060 and a total additional annual payroll of \$153,000, with the average current annual salary being \$22,660 and the new annual job salary being \$17,000; and

WHEREAS, the total estimated project cost is \$563,155; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin upon the effective date of

1 the Confirming Resolution referred to in Section 6 of this
2 Resolution and shall continue for two(2) years thereafter. Said
3 designation shall terminate at the end of that two(2) year
4 period.

5 **SECTION 2.** That, upon adoption of the Resolution:

- 6 (a) Said Resolution shall be filed with the Allen County
7 Assessor;
- 8 (b) Said Resolution shall be referred to the Committee on
9 Finance and shall also be referred to the Department of
10 Economic Development requesting a recommendation from
11 said department concerning the advisability of
12 designating the above designated area an "Economic
13 Revitalization Area";
- 14 (c) Common Council shall publish notice in accordance with
15 I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption and
16 substance of this resolution and setting this
17 designation as an "Economic Revitalization Area" for
18 public hearing;
- 19 (d) If this Resolution involves an area that has already
20 been designated an allocation area under I.C. 36-7-14-
21 39, then the Resolution shall be referred to the Fort
22 Wayne Redevelopment Commission and said designation as
23 an "Economic Revitalization Area" shall not be finally
24 approved unless said Commission adopts a Resolution
25 approving the petition.

26 **SECTION 3.** That, said designation of the hereinabove
27 described property as an "Economic Revitalization Area" shall
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1 apply to a deduction of the assessed value of personal property
2 for new manufacturing equipment.

3 **SECTION 4.** That, the estimate of the number of individuals
4 that will be employed or whose employment will be retained and
5 the estimate of the annual salaries of those individuals and the
6 estimate of the value of new manufacturing equipment, all
7 contained in Petitioner's Statement of Benefits, are reasonable
8 and are benefits that can be reasonably expected to result from
9 the proposed described installation of new manufacturing
10 equipment.
11

12 **SECTION 5.** That, the current year approximate tax rates for
13 taxing units within the City would be:

- 14 (a) If the proposed new manufacturing equipment is not
15 installed, the approximate current year tax rates for
16 this site would be \$9.2773/\$100.
17
18 (b) If the proposed new manufacturing equipment is
19 installed and no deduction is granted, the approximate
20 current year tax rate for the site would be
21 \$9.2773/\$100 (the change would be negligible).
22
23 (c) If the proposed new manufacturing equipment is
24 installed and a deduction percentage of eighty percent
25 (80%) is assumed, the approximate current year tax rate
26 for the site would be \$9.2773/\$100 (the change would be
27 negligible).
28

29 **SECTION 6.** That, this Resolution shall be subject to being
30 confirmed, modified and confirmed, or rescinded after public
31 hearing and receipt by Common Council of the above described
32 recommendations and resolution, if applicable.

1 **SECTION 7.** That, pursuant to I.C. 6-1.1-12.1, it is hereby
2 determined that the deduction from the assessed value of the new
3 manufacturing equipment shall be for a period of five years.

4 **SECTION 8.** That, the benefits described in the Petitioner's
5 Statement of Benefits can be reasonably expected to result from
6 the project and are sufficient to justify the applicable
7 deductions.

8 **SECTION 9.** That, this Resolution shall be in full force and
9 effect from and after its passage and any and all necessary
10 approval by the Mayor.
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12 
13 Member of Council

14
15 APPROVED AS TO FORM AND LEGALITY

16 
17 J. Timothy McCaulay, City Attorney
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Read the first time in full and on motion by Pro Tem,
seconded by Pro Tem, and duly adopted, read the second time by
title and referred to the Committee on Finance (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____ day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 7-25-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Pro Tem,
seconded by _____, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>			<u>2</u>
BRADBURY	<u>✓</u>			
EDMONDS	<u>✓</u>			<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO				

DATED: 7-25-95

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL)
(SPECIAL) _____ (ZONING) _____ ORDINANCE RESOLUTION NO. 9-44-95,
on the 25th day of July, 1995

ATTEST:

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

(SEAL)
Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 26th day of July, 1995.
at the hour of 3:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 28th day of July,
1995, at the hour of 4:00 o'clock P. M., E.S.T.





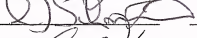

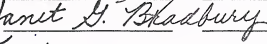
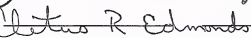
Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. R-95-07-25

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - CHAIR
MARK E. GIAQUINTA - VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (~~ORDINANCE~~) (RESOLUTION) designating "Economic
Revitalization Area" OmniSource

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~) (RESOLUTION) _____

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

DATED: 7-25-95

Sandra E. Kennedy
City Clerk

Plant 1

Key Numbers

92-3542-0118 92-3542-0130

92-3542-0132 92-3542-0134

92-3542-0136 92-3542-0140

92-3542-0246 92-3542-0248

92-3839-0015 92-3839-0016

92-3839-0028 92-3840-0001

91-2948-0168 91-2948-0731

91-2948-0732 91-4236-0003

92-4236-0017 91-4236-0058



MEMORANDUM

TO: Common Council Members

FROM: Karen A. Lee
Economic Development Specialist, Department of Economic Development

DATE: July 25, 1995

SUBJECT: Personal Property Tax Abatement Application dated June 14, 1995 for OmniSource Corporation
Address: 1610 North Calhoun Street, Fort Wayne, Indiana 46808

Background

03-95-07-25

Description of Product or Service Provided by Company: Sort and process Ferrous and Non-Ferrous scrap metal through a Resource Recovery System.

Description of Project: Purchase several pieces of equipment.

Average Annual Wage:	\$17,000	Total Project Cost:	\$563,155
Number of Full Time Jobs to be Created:	9	Councilmanic District:	3rd
Number of Part Time Jobs to be Created:	0	Existing Zoning of Site:	M3

Project is Located Within a:

Designated Downtown Area:	Yes__ No_x_	Redevelopment Area:	Yes__ No_x_
Urban Enterprise Area:	Yes_x_ No__	Platted Industrial Park:	Yes__ No_x_

Effect of Passage of Tax Abatement

Will allow for the creation of 9 positions.

Effect of Non-Passage of Tax Abatement

Project will not take place resulting in lost jobs in the community.

Staff Recommendation

Per the established policy of the Department of Economic Development, the following recommendations are made:

1. Designation as an "Economic Revitalization Area" should be granted.
2. Designation should be limited to a term of two (2) years/retro active from 1993 to 1995.
3. The period of deduction should be limited to five years.

Signed:

Karen A. Lee

Title:

Economic Development Specialist

Comments

DIRECTOR:

W. J. Kelly

FOR STAFF USE ONLY:

Declaratory Passed 19

Confirmatory Passed 19

FT Jobs Currently

PT Jobs Currently

\$ Current Average Annual Salary

FT Jobs to be Created

PT Jobs to be Created

\$ Avg Annual Salary of all New Jobs

FT Jobs to be Retained

PT Jobs to be Retained

\$ Avg Annual Salary of all Retained Jobs

ECONOMIC REVITALIZATION AREA APPLICATION CITY OF FORT WAYNE, INDIANA

APPLICATION IS FOR:

Real estate key no.: See Attached

(Check appropriate box[es] below)

☐ Real Estate Improvements Total cost of improvements: _____☒ Personal Property (New Manufacturing Equipment) . . . Total cost of improvements: 563,155TOTAL OF ABOVE IMPROVEMENTS: 563,155

GENERAL INFORMATION:

Applicant's name: OmniSource Corporation Telephone: (219) 422-5541Name of applicant's business: SameAddress of applicant: 1610 N. Calhoun StreetFort Wayne, IN 46808Address of property to be designated: Same

Name of business to be designated, if applicable: _____

Contact person:

Name: Jennifer Wilson Telephone: (219) 422-5541Address: 1610 N. Calhoun Street, Fort Wayne, IN 46808☐ Yes ☒ No Do you plan to request state or local assistance to finance public improvements?☐ Yes ☒ No Will the proposed project have any adverse environmental impact?

Describe: _____

Describe the product or service to be produced or offered at the project site?

The sorting and processing of Ferrous and Non-Ferrous scrap metal through a Resource
Recovery System. We are involved in disposing of solid waste by converting it to other
useful products as defined by IC 6-1.1-12.1.

In order to be considered an Economic Revitalization Area, Indiana Law requires that the area be undesirable of normal development. What evidence can be provided that the property on which the project is located has become undesirable for, or impossible of, normal development and occupancy because of age, lack of development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property or is an area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues?

There is a lack of development in the area and what is developed is approaching
obsolescence. The surrounding properties are blighted, have had no new investment
for several years, and generally have not increased in assessed value.

REAL ESTATE ABATEMENT

Complete this section of the application only if requesting a deduction from assessed value for real estate improvements.

Describe any structure(s) that is/are currently on the property: _____

Describe the condition of the structure(s) listed above: _____

Describe improvements to be made to property to be designated: _____

Start and stop dates for project: _____

Current land assessment:\$ _____ Current improvements assessment:\$ _____

Current total real estate assessment:\$ _____

Most recent annual property tax bill on property to be designated:\$ _____

What is the anticipated first year tax savings attributable to this designation? \$ _____

How will you use these tax savings? _____

PERSONAL PROPERTY ABATEMENT

Complete this section of the application only if you are requesting a deduction from assessed value for installation of new manufacturing equipment.

Describe the new manufacturing equipment to be installed at the project site: Resource Recovery System property placed
in service after March 1, 1993 and before March 2, 1995 including containers, crusher, magnets, crane,
and yard vehicles. *

Equipment purchase start & stop dates: 3/2/93 - 3/1/95 Equipment installation start and stop dates: 3/2/93 - 3/1/95

Current personal property assessment:\$ 601,853 Most recent annual personal property tax bill:\$ 520,595 ^{Assessed Value}

What is the anticipated first year tax savings attributable to this designation? \$ 4,000 How will you use these
tax savings? To further develop the business in this area.

PUBLIC BENEFIT INFORMATION

Permanent full-time and part-time employment by the applicant in Fort Wayne?

Current: 191 Full-time _____ Part-time Average annual salary of all: \$ 22,660

Current annual area payroll:\$ 4,338,060

Number of permanent full-time and part-time employees to be created or retained as a result of this project?

** Created: 9 Full-time N/A Part-time Average annual salary of all: \$ 17,000

Retained: 191 Full-time N/A Part-time Average annual salary of all: \$ 22,660

When do you anticipate reaching the above levels of employment? N/A

Additional annual area payroll as a result of this project:\$ N/A

Types of jobs to be created as a result of this project? N/A

Annual salaries of all jobs to be created/retained from this project?

High \$ N/A Low \$ N/A Average \$ N/A

The amount of solid waste that will be converted to useful products by the above mentioned equipment is 70,000 ton ferrous and 18,000,000 pounds non ferrous scrap metal annually.

NOTE * Amendment to the definition of "new manufacturing equipment" at IC 6-1.1-12.1-1(3).

** Not required for Resource Recovery System property per IC 6-1.1-12.1-4.5.

Check the boxes below if the jobs to be created will provide the listed benefits:

- ☐ Pension Plan
- ☐ Tuition Reimbursement
- ☐ Major Medical Plan

- ☐ Life Insurance
- ☐ Disability Insurance

List any benefits not mentioned above:

Will your company use any of the following employment and training agencies to recruit/train new employees? If so, please check the appropriate boxes:

- | | |
|--|---|
| <input type="checkbox"/> Anthony Wayne Services | <input type="checkbox"/> Indiana Dept of Employment & Training Services |
| <input type="checkbox"/> Benito Juarez Center | <input type="checkbox"/> Indiana Institute of Technology |
| <input type="checkbox"/> Catholic Charities of Fort Wayne | <input type="checkbox"/> Indiana Purdue University at Fort Wayne |
| <input type="checkbox"/> Community Action of Northeast Indiana, Inc. | <input type="checkbox"/> Indiana Vocational Rehabilitation Services |
| <input type="checkbox"/> Fort Wayne Rescue Mission | <input type="checkbox"/> IVY Tech |
| <input type="checkbox"/> Fort Wayne Urban League, Inc. | <input type="checkbox"/> JobWorks |
| <input type="checkbox"/> Fort Wayne Womens Bureau | <input type="checkbox"/> Lutheran Social Services, Inc. |
| <input type="checkbox"/> Indiana Department of Commerce | <input type="checkbox"/> Wayne Township Trustee |
| <input type="checkbox"/> Indiana Department of Public Welfare | |

EXHIBITS

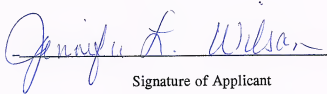
The following exhibits must be attached to the application.

1. Full legal description of property. (Property tax bill legal descriptions are not sufficient.)
2. Check for application fee made payable to the City of Fort Wayne.

<u>Project Cost</u>	<u>Fee</u>
\$0 to 250,000	\$ 500
\$250,001 to 1,000,000	\$ 700
\$1,000,001 and over	\$1,000

3. Owner's Certificate (if applicant is not the owner of property to be designated).

I hereby certify that the information and representation on this application and attached exhibits are true and complete and that no building permit has been issued for construction of improvements, nor has any manufacturing equipment which is a part of this application been purchased and installed as of the date of filing of this application.



Signature of Applicant

6/14/95

Date

**STATEMENT OF BENEFITS**

State Form 27167 (R4/10-93)

Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

**FORM
SB - 1****INSTRUCTIONS:**

1. This statement must be submitted to the body designating the economic revitalization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment, or BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the project was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)
2. Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation or prior to installation of the new manufacturing equipment, BEFORE a deduction may be approved.
3. To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.
4. Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)

SECTION 1**TAXPAYER INFORMATION**

Name of taxpayer

OmniSource Corporation

Address of taxpayer (street and number, city, state and ZIP code)

1610 N. Calhoun Street, Fort Wayne, IN 46808

Name of contact person

Jennifer Wilson

Telephone number

(219) 422-5541

SECTION 2**LOCATION AND DESCRIPTION OF PROPOSED PROJECT**

Name of designating body

Fort Wayne Common Council

Resolution number

Not Yet Assigned

Location of property

1610 N. Calhoun Street, Fort Wayne, IN 46808

County

Allen

Taxing district

Fort Wayne, Wayne

Description of real property improvements and / or new manufacturing equipment to be acquired (use additional sheets if necessary)

Resource Recovery System property placed in service after March 1, 1993 and before March 2, 1995.
(See attached listing)

Estimated starting date

March 2, 1993

Estimated completion date

March 1, 1995

SECTION 3**ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT**

Current number

191

Salaries

4,328,060

Number retained

191

Salaries

4,328,060

Number additional

9

Salaries

\$153,000

SECTION 4**ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT**

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.

Real Estate Improvements**Machinery**

	Assessed Value	Assessed Value
Current values	5,749,908	601,852
Plus estimated values of proposed project	563,155	75,087
Less values of any property being replaced		
Net estimated values upon completion of project	6,313,063	676,939

SECTION 5**OTHER BENEFITS PROMISED BY THE TAXPAYER**

The amount of solid waste to be converted to useful products by the above mentioned Resource Recovery System equipment is 70,000 ton ferrous and 18,000,000 pounds non ferrous scrap metal annually.

SECTION 6**TAXPAYER CERTIFICATION**

I hereby certify that the representations in this statement are true.

Signature of authorized representative

Jennifer L. Wilson

Title

Asst. Treas.

Date signed (month, day, year)

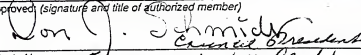

6/14/95

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

- A. The designated area has been limited to a period of time not to exceed _____ calendar years * (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☐ Yes ☐ No
 2. Installation of new manufacturing equipment; ☐ Yes ☐ No
 3. Residentially distressed areas ☐ Yes ☐ No
- C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to \$ _____ cost with an assessed value of \$ _____.
- D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to \$ _____ cost with an assessed value of \$ _____.
- E. Other limitations or conditions (specify) _____
- F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991 is allowed for: ☐ 5 years ☐ 10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: (signature and title of authorized member)  Don J. Schmidt, Council President	Telephone number (219) 427-1208	Date signed (month, day, year) 7-25-90
Attested by:  Richard E. Kennedy, City Clerk	Designated body Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5. Namely: (see tables below)

NEW MANUFACTURING EQUIPMENT		
For Deductions Allowed Over A Period Of:		
Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT			
For Deductions Allowed Over A Period Of:			
Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Declaratory Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE OmniSource is requesting a tax abatement which will allow them to purchase several pieces of equipment.

EFFECT OF PASSAGE Will allow for the creation of 9 jobs.

EFFECT OF NON-PASSAGE Project will not take place resulting in lost jobs in the community.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)

ASSIGNED TO COMMITTEE (PRESIDENT) Donald J. Schmidt